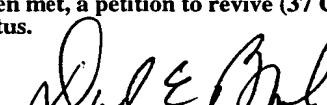


| | | | |
|--|--|---|--------------------------|
| FORM PTO-1390 (Modified) (REV 10-95) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | 6338.02 DEB | |
| INTERNATIONAL APPLICATION NO. PCT/US99/08207 | INTERNATIONAL FILING DATE 15 April 1999 | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR Not yet known 09/673406 | |
| TITLE OF INVENTION EVACUATOR | | PRIORITY DATE CLAIMED 17 April 1998 | |
| APPLICANT(S) FOR DO/EO/US Leonard S. SCHULTZ, Jeffrey K. DROGUE, and Kevin W. GRACIE | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 8. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 10. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). | | | |
| Items 13 to 18 below concern document(s) or information included: <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input checked="" type="checkbox"/> A change of power of attorney and/or address letter. 19. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail 19. <input checked="" type="checkbox"/> Other items or information: | | | |
| Copy of PCT Publication WO 99/53833 published 28 October 1999; Small Entity Statement; and Return Receipt Postcard | | | |

| | | | | |
|---|---|---|-----------------|-----------------|
| U.S. APPLICATION NO. (IF KNOWN, SEE 3) 04-1420 Not yet known | INTERNATIONAL APPLICATION NO. PCT/US99/08207 | ATTORNEY'S DOCKET NUMBER 6338.02 DEB | | |
| 20. The following fees are submitted: | | CALCULATIONS PTO USE ONLY | | |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : | | | | |
| <input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$840.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00 <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00 <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00 | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$670.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). | | <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 \$130.00 | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
| Total claims | 15 - 20 = | 0 | x \$19.00 | \$0.00 |
| Independent claims | 2 - 3 = | 0 | x \$80.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable). | | <input type="checkbox"/> | | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | = | \$800.00 | |
| Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). | | <input checked="" type="checkbox"/> | | \$400.00 |
| SUBTOTAL | | = | \$400.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). | | <input type="checkbox"/> 20 <input type="checkbox"/> 30 + | | \$0.00 |
| TOTAL NATIONAL FEE | | = | \$400.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). | | <input type="checkbox"/> | | \$0.00 |
| TOTAL FEES ENCLOSED | | = | \$400.00 | |
| | | Amount to be: refunded | \$ | |
| | | charged | \$ | |
| <input checked="" type="checkbox"/> A check in the amount of \$400.00 to cover the above fees is enclosed. <input type="checkbox"/> Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1420 A duplicate copy of this sheet is enclosed. | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | |
| David E. Bruhn, Esq. Dorsey & Whitney LLP Pillsbury Center South 220 South Sixth Street Minneapolis, Minnesota 55402-1498 | |  SIGNATURE David E. Bruhn NAME 36,762 REGISTRATION NUMBER 17 October 2000 DATE | | |
| Telephone: 612-340-6317 Facsimile: 612-340-8856 | | | | |

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Le nard S. [REDACTED], Jeffrey K. Dr gue and Kevin W. Gracie [REDACTED]

Docket No.

6338.02 DEB

| | | | |
|-----------------------------|-------------------------|----------------|----------------------|
| Serial No. Not yet known | Filing Date Herewith | Examiner NA | Group Art Unit NA |
| Invention: EVACUATOR | | 09/673406 | |

I hereby certify that this Filing Under 35 USC 371; WO 99/53833; \$400 Check; Entity Statement; Postcard
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on
17 October 2000

(Date)Elvina Smith(Typed or Printed Name of Person Mailing Correspondence)Elvina Smith(Signature of Person Mailing Correspondence)EL501538642US("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.